



U.S. Department
of Transportation

**Pipeline and
Hazardous
Materials Safety
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

APR 5 2005

DOT-E 7280
(TWELFTH REVISION)

EXPIRATION DATE: February 28, 2007

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: The Department of Defense (DOD)
Fort Eustis, VA
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of certain motor vehicles, fixed wing aircraft, helicopters, air cushioned vehicles/boats and power boats with fuel tanks 3/4 full instead of 1/4 full. In addition, the fueled vehicles are authorized to be transported with battery cables connected if the holds or compartment of a vessel in which vehicles are loaded are mechanically ventilated. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 176.905, except as specified herein.
5. BASIS: This exemption is based on the application of DOD dated March 8, 2005, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description - - proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Engines, internal combustion, including when fitted in machinery or vehicles	Class 9	UN3166	N/A

7. PACKAGING: The "vehicle" (which may include fixed wing aircraft, helicopters and air cushioned vehicles/boats and power boats) must comply with all applicable requirements of 49 CFR except that the fuel tank may not be more than 3/4 full. Battery cables may be connected if the holds or compartments of the transporting vessel are mechanically ventilated.

a. For containerized vehicles or equipment:

(1) The battery cables must be disconnected and secured to prevent sparks or ignition; and

(2) The container must be stowed in a mechanically ventilated hold or compartment or stowed above deck.

b. Additional fuel may be carried on vehicles in DOD or DOT Specification 5 gallon packagings provided that:

(1) The packagings are secured in the vehicles in built-in cradles designed for such a purpose; or

(2) The packagings are carried in vehicles using standard DOD securing procedures.

This paragraph does not apply to diesel fuel, which may be carried in any packaging meeting DOD specifications.

8. SPECIAL PROVISIONS:

a. Cargo vessels that transport hazardous materials under this exemption must be:

(1) Under the exclusive control of the Military SeaLift Command; or

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(2) Other vessels, provided-

(a) Preparation of the shipment, loading, stowage, and unloading are under the oversight and control of Defense Department personnel; and

(b) The shipment is escorted by a team of Defense Department personnel who are familiar with the cargo and cargo operations as described in subparagraph 8.a.(2)(a).

b. The marking requirements of §§ 172.301(c) and 172.302(c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo vessel.10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel used to transport the vehicles covered by this exemption.11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

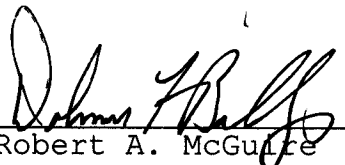
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.:

for

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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DATE

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: sln